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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with sufficient postage via first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 24, 2006.

Richard B. Klar

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: HORNSBY et al. Serial No.: 10/066,818  
Examiner: Urszula M Cegielnik Art Unit: 3711  
Filed: February 4, 2002  
For: **AMUSEMENT DEVICE AND METHOD**

**PAYMENT OF EXCESS CLAIMS FEES**

May 24, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Office Action of May 19, 2006, we are submitting a credit card payment of \$200 for the 1 excess independent claim. Our understanding from our conversation of May 23, 2006, is that this is the amount owed since credit has been applied for 3 excess claims we paid for in the past. We request that this payment be added to the record. In addition, we enclose a copy of the notice that was mailed to us.

05/30/2006 JBALINAN 00000026 10066818

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200.00 OP

Respectfully submitted,

Richard B. Klar  
Reg. No. 31,385

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Tel: 516-827-0100

**NOTICE REQUIRING EXCESS CLAIMS FEES**

The excess claim(s) filed on **May 11, 2006** is not accompanied by the appropriate payment of excess claims fees set forth in 37 CFR 1.16(h)-(j) or 1.492(d)-(f). Excess claims fees are required for each claim in independent form in excess of three (§ 1.16(h)), each claim (whether dependent or independent) in excess of twenty (note that § 1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes) (§ 1.16(i)), and each application that contains a multiple dependent claim (§ 1.16(j)).

Since the application is not under a final rejection, applicant is given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, to submit either: (1) the fee payment of **\$350.00** or (2) an amendment in compliance with 37 CFR 1.121 that cancels the excess claim(s), in order to avoid **ABANDONMENT**. Extensions of this time period may be granted under 37 CFR 1.136, unless the excess claim(s) was presented in a preliminary amendment.

- ☐ 1. The funds in Deposit Account No. \_\_\_\_\_ are insufficient to cover the entire fee due. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☐ 2. The Credit Card payment to cover the entire fee due to Account \_\_\_\_\_ (Card type + last 4 digits ONLY) was refused. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☒ 3. The amendment that includes the excess claim(s) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record (PTO/SB/06). Remittance or authorization is due within the time period set forth in this notice.
- ☒ 4. The fee submitted in this application is insufficient. A balance of **\$350.00** is due for presentation of excess claims (37 CFR 1.16(h)-(j) or 1.492(d)-(f)).
- ☐ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due):  
\_\_\_\_\_

THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

**Service Charges:** There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

*Kate Cobb* (571) 272-4336  
Technical Support Staff (TSS)

Note to TSS: Please do NOT use this notice if the application is under a final rejection.